KIRK BROTHERS TRACT

THIS ABSTRACT MUST BE RETURNED AT ONCE
TO
JAS. A. CLAYTON & CO., INC.

ABSTRACT OF TITLE
OF PROPERTY OF Vol. 1.

Kirk Brothers

Home Place Vestal Place

9595

TO

The "Kirk Brothers" Tract in the "Rancho San Juan Bautista"

Dated October 9th 1878.

MADE AT THE REQUEST OF

Kirk Bros.

SAM. P. HOWES,
SEARCHER OF RECORDS,
Room No. 9, over Bank of San Jose.
N. E. Cor. First and Santa Clara Sts.

Petition for Letters—A petition for letters of administration on the estate of John W. Kirk who died in this city October 10, 1865, leaving property in Solano county, was filed in the county clerk's office Tuesday by C. L. Witten. Henry W. McComas is attorney for the petitioner. AUG 29th 1913

as by J D Roberts
191 Acres

Abstract of Title

To all that certain tract or parcel of land situate lying and being in the County of Santa Clara, State of California bounded and described as follows to wit: bounded on the Northerly side by the old channel of the Los Gatos Creek which is also the outside boundary of the Rancho San Juan Bautista on the North Easterly side by the lands of N. H. Hicks of lands now or late of Wm Hamilton of F. S. Malone and of Shantzer and Thompson, on the Southerly side by the lands belonging to the Estate of the late Craven P. Hester, and on the West by the lands now or late of L. J. Hanchett, containing four hundred and sixty eight acres more or less and forming a portion of said Rancho San Juan Bautista.

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Orginal Grant.

as follows:

Sello Primero Ocho Pesos.

Habilitado provisionalmentē por la aduana del puertō de Monterey en el departāmentō de los Californias para los años de mil ocho cientos cuarentā y cuatro y mil ocho cientos cuarentā y cinco.

Michelltorena {seal} Pablo de la Guerra.

El Ciudadano Manuel Michelltorena General de Brigada del ejercitō Mejicano Ayudantē General de la Plana Mayor del Mismo Gubernador Comandantē General de la Plana mayor y Inspectōr del Departāmentō de las Californias.

Por Cuantō el Ciudadano Agustin Narvaezhá prelēndido para su beneficio personal y el de su familia dos sitios de ganado mayor dentrō del terreno nombrado San Juan Bautista. colindantē con el Rancho de los Senores Bernales con el justō Larios con la sierra con el ha apse de los Hernandezyel Pueblo de San Jose sur parar del alisal que a estē le perteñese practicador previamentē las diligencias y averiguaciones segun lo despuertō por leyes

y reglamentes usando de los facultades que
me son conferidas a nombre de la nacion
Mexicana he venido en concederle el terreno
mencionado declarandole lo propiedad de
el por las presentes letros sugetandos a la
aprobacion de la Exma Asamblea Departamen-
-ental y bajo los condiciones siguientes:
1º No podra venderlo enagenerlo ni hipocarle
imponer censo vencido fianza ni otra grab-
amen alguno.
2º Podra cercarlo sin perjudicar las brancias
caminos y servidumbres lo ocstulara libre y
esclusivam te destinandolo al uso ó cultivo
que mas le acamode pero dentro de un
año fabricara casa y estova habilitado.
3ro Solicitara del juez respectivo que ve de
la posesion juridica en virtud des este des-
-pacho por el cual se demarcacion los lin-
-deros en cuyos lindes pondra a mas de las
mojonera algunos arboles frutales ó setvelens
de Alguna utilidad.
4to. El terreno de que se hace donacion es de
dos sitios ganado mayor poco mas ó
menos segun esplica el deseño respectivo el
juez que desa la posecion lo hara medir
confirme á ordenanza que dando el sobrante
que resulte a la nacion para los usos con-
-venientes.

5ta De contravenire a estas condiciones
pudera su derecho al terreno y serra de-
nunciable por otro. En Conse mencia mando
que serviendole de titulo el presenta y te-
niendose por firme y valideso se tome razon
de el en el libro a que corresponda y se
entregral al interesado para su resguardo
y demas fines Dcho en Monterey a
trienté del Marzo de mil ocho cientos
cuarenté y cuarto-
Mant Jimeno Man Micheltorena
Sec.

Deseno
Del Rancho San Juan Bautista-
April 2. 1850.

Book "A" Deeds page 27.

United States of America
To
Agustin Narvaez.

Patent

Dated December 1. 1865.

The United States of America.
To all to whom these presents shall come,
Greeting:

Whereas it appears from a duly authenticated transcript filed in the General land Office of the United States that pursuant to the provisions of the Act of Congress approved the 3d day of March 1851. entitled an act to ascertain and settle the private land claims in the State of California Augustin Narvaez as claimant filed his petition on the 27th day of February 1852 with the Commissioners to ascertain and settle the private land claims in the State of California sitting as a board in the City of San Francisco in which petition he claimed the confirmation of his title to tract of land known by the name of San Juan Bautista, containing 2 square leagues more or less situated in the County of Santa Clara and State aforesaid, said claim being founded on a Mexican Grant to the petitioner made on the 30th day of March 1844. by Manuel Michel Torena then Governor of Upper California

And Whereas the Board of land Commissioners aforesaid on the 15th day of November 1853 adjudged that the said claim of the petitioner is not valid and his application for a confirmation is therefore denied which decree or decision having been carried by appeal to the District Court of the United States for the Northern District of California the said Court as appears from a duly certified transcript on file in the General Land Office at a stated term on the 5th day of July 1855 in the cause entitled "Augustin Narvaez Vs. the United States" ordered adjudged and decreed that the said decision of the said Commissioners is hereby reversed annulled and set aside, and it is hereby ordered adjudged and decreed that the claim of the appellant Augustin Narvaez be and the same is hereby confirmed and adjudged to be a good and valid claim to the extent of 2 square leagues <or sitios de ganado mayor> and for no more in the lands described in the grant set forth in the record provided said quantity of land to him granted and now to him confirmed be contained within the boundaries called for in said Grant and if there be less than 2 square leagues or sitios de Ganado mayor within said limits, then there is confirmed to him the less quantity. And Whereas it

appears from a certified transcript on file in the general land Office, that at a stated term of the aforesaid District Court on the 5th day of January 1860 the following proceedings were had.

Augustine Narvaez
vs
The United States

"L.C. 75, D.C. 7"

It appearing to the satisfaction of the Court that J. S. Black Attorney General of the United States and C. H. W. Mecham attorney for the said Augustin Narvaez in the above cause in the Supreme Court of the United States have signed and filed with the Clerk of the said Supreme Court an agreement in writing directing the said case to be dismissed and it further appearing that the said Augustine Narvaez has consented to the said agreement and discontinuance, and the said Clerk has entered the said case dismissed according to the 64th rule of the said Supreme Court of the United States. In consideration of which, and upon motion of the said Agustin Narvaez by his attorneys Thornton, Williams & Thornton. It is now hereby ordered and adjudged that the copy of the above proceedings certified by William T. Carroll, Clerk of the Supreme Court of the United States under the seal of said Court be

filed in the Clerks office of said Court and that the said Agustine Narvaez be at liberty according to the terms of said Agreement to proceed and obtain a survey and patent in conformity with the decree of confirmation heretofore entered in this cause and the acts of Congress relating to private land claims in California And whereas it further appears from a duly certified transcript on file in the general land office that cause having been brought before the aforesaid District Court in the matter of survey and location the said Court at a stated term on the 27th day of February 1863. rendered its decision as follows:

The United States
vs
Agustin Narvaez
} Dist Court No. 7.

In the matter of the survey and location of the Rancho San Juan Bautista, this cause came on this day to be heard and was argued by Counsel and it appearing to the Court that Governor S.J. Easby and Intervenors Isaac Branham and Jackson Lewis, have withdrawn their exceptions to the official survey in this case and that no objections are now urged against said survey and the Court being of the opinion that the same is a true and accurate survey of the lands of the said Rancho. It is now therfore ordered adjudged and decreed

and the Court doth hereby order adjudge and decree that the said Official survey be and the same is hereby approved, as a true and accurate survey of the lands of the said Rancho. The survey hereby approved is the same made by Charles T. Healey, United States, Deputy Surveyor in May 1860, containing 8879 $\frac{54}{100}$ acres of land a duly certified plat of which said survey was filed in the Clerks office of the Court on the 17th day of November 1860. and which said Plat is hereunto attached as a part of this decree marked approved February 27. 1863. Ogden Hoffman Dist Judge and Whereas there have been presented to the Commissioner of the general land office a plat a certificate of the Survey of the tract of land confirmed as aforesaid authenticated on the 2d day of December 1863 by the signature of the Surveyor General of the Public lands in California, which plat and certificate are in the words and figures following to wit:

U. S. Surveyor General's Office
San Francisco, California

Under and by virtue of the provisions of the 13th section of the act of Congress of the 3d of March 1851 entitled an act to ascertain and and settle private land claims in the State of California and of the 12th

Section of the Act of Congress. Approved on the 31st of August 1852. entitled an act making appropriations for the Civil and Diplomatic Expenses of the Government for the year ending the 30th of June 1853. and for other purposes and in consequence of the annexed copy of a certificate of the United States District Court for the Northern District of California having been filed in this Office whereby it appears that the decision of the said District Court has become final said decision having recognized and confirmed the title and claim of Agustin Narvaez to the tract of land designated as San Juan Bautista. the said appeal has been vacated and thereby the said decision in favor of the said ~~decision~~ Augustin Narvaez has become final the said tract has been surveyed in conformity with the grant thereof and the said decision and I do hereby certify the annexed map to be a true and accurate plat of the said tract of land as appears by the field notes of the survey thereof made by Charles T. Healey Deputy surveyor in the Month of May under the directions of this office, which having been examined and approved are now on file therein. and I do further certify that said Approved plat was during the publication

under the said act and from objections made by the confirmee ordered into the U. S. District Court of the Northern District for inspection and the said objections being withdrawn by said confirmee, a final decree was had in said District Court returning the said survey to the files of this Court, a copy of which also is hereto annexed and I do further certify that a final decree confirming said survey has been filed in this office a copy of which is also annexed hereto. And I do further certify that under and by virtue of the said confirmation survey and decree the said Agustin Narvaez is entitled to a patent from the United States upon presentation hereof to the General land Office for the said tract of land the same being bounded and described as follows to wit: Beginning at a white oak tree 14 inches in diameter marked N. N°19. standing on the right bank of the Arroyo de los Gatos from which Weir's house bears S 48° W 5 chains. Thence down the center of the channel of said Arroyo de los Gatos according to the true meridian the variation of the magnetic needle being 15° 30' E. N 75° E 31 chs to Station, Thence N 47° 30' E 29 chs to Station. Thence N 71° E at 33.60 chs. intersects Mt Diablo Meridian 6.50 chs. S of the N.W. corner of Sec. 31. T. 7. S. R. 1. E. 41.50 chs to Station. Thence N 34° 30' E 41.50 chs to Station:

Thence N 46° 30' W 15.61 chs to Station. Thence N 15° 30' E 11.20 chs to Station. Thence N 4° E. 25 chs to Station: Thence N 34° 30' W 18.40 chs to Station: Thence N 2° 15' W 25 chs to Station: Thence N 47° 45' E 27 chs to Station: Thence N 25° W 6 chs to Station: Thence N 41° 15' E 18.50 chs to a Sycamore post 4 inches square marked N. M° 20, standing on the right bank of the Arroyo de los Gatos from which a Sycamore tree 6 inches in diameter marked B. T. M. M° 20. bears N 10° E. 40 lks dist: Thence leaving the channel of the said Arroyo N 88° E 16 chs enter willows. 45.30 chs leave willows. 53 chs enter boggy land 55 chs leave the boggy land 59.23 chs. to a redwood post 4 inches square marked M. M° 21. standing on the left bank of the Guadalupe River from which a Sycamore tree 4 feet in diameter marked B. T. M. M° 21. bears N 64° E 38 lks distant. Thence running up the center of the channel of the Guadalupe River South 51° 30' E 16.77 chs to station. Thence S 7° 30' W 27.75 chs to station: Thence S. 20° 30' E. 12.45 chs. to a Sycamore post 3 inches square marked M M° 1. thence S 5° W 10.28 chs to a Sycamore post 3 inches square marked M. M° 2. Thence S 29° E 9.92 chs to a Sycamore post 3 inches square marked M. M° 3. standing in the bog or swamp at the head of the said Guadalupe River a Syc-

a more tree 8 inches in diameter marked B.T.N N°3. bears N 86° W 62 lks distant. Thence leaving the swamp land S 37° 30' E 32 chs 60 lks cross center of a lane running N.E. and S.W. 37.38 chs. to a willow post 4 inches in diameter marked N. N°4. standing on the left bank of the Arroyo Seco de Guadalupe from which a willow tree 14 inches in diameter marked B.T N N°4. bears S 48° W 20½ lks distant. Thence up the center of the Channel of the said Arroyo Seco de Guadalupe S 9° 30' E 19.96 chs to Station, thence S 16° 30' W 26 chs. to a Sycamore tree 5 feet in diameter standing nearly in the center of the channel marked N N°5. Thence leaving the Arroyo South 64° E 50 lks cross road from San Jose to New Almaden 41 chs to a white oak post 3 inches square marked N N°6 standing in a monument of stones from which a white oak tree 14 inches in dia. marked B.T.N. N°6 bears S 56° 30' E 3.20 chs 20 lks distant. Thence meandering along the Western base of the San Juan Bautista hills following up a small water course S 14° 30' E 20.76 chs to a redwood post 3 inches square marked N. N°7. standing in a Monument of stones thence S 73° E 17.10 chs to a willow tree 1 foot in dia. marked N. N° 8. Thence N 58° E 24 chs to redwood post 3 inches square marked N N°9

in a monument of Stones. Thence S 51° E 22 chs to a redwood post 2½ inches in diameter marked N. M°10. Thence S 19° E 19.20 chs. to a Willow tree 1 foot diameter marked N M°11. Thence S 15° 30' W 8.38 chs to a White oak tree 1½ feet in diameter marked N M°12. standing at the S.W. point of the San Juan Bautista hills. thence leaving the hills S 34° 30' E 17.29. chs intersect Township line between Townships 7 and 8 S. R. 1. E. 7 chs East of N.E. corner of Section 4 set a redwood post 2½ inches square. marked N. S. 3. S 3. 4 - 102.70 chs to a willow tree 1½ feet in diameter marked N. M°13. thence S 18° W 130 chs to foot of Pueblo hills 142 chs to a leaning white oak tree 1½ feet in diameter on summit of said Hills marked N M°14 also old marks B. + N Thence along the ridge of said Pueblo hills N 73° W 32 chs to a buckeye post 4 inches square marked N. M°15 standing in a monument of Stone thence descending the Western Slope of the hills S 87° 30' W 30 chs to a Sycamore post 4 inchs square marked N M°16 standing in a monument of Stones in the channel of the Eastern fork of the aforesaid Arroyo Seco de Guadalupe from which a Sycamore tree four feet in diameter marked B T. N M°16 bears S 60° 45' E. 92 lks distant Thence down the aforesaid channel N 19° 30'

W 43 chs to a sycamore tree 1 ft in diameter standing in channel at the junction of the two forks of the arroyo Seco de Guadalupe marked R N° 17. Thence up the center of the channel of the West fork of said Arroyo Seco which fork is called the capitancillos S 86° W 1.20 chs cross road from San Jose to New Almaden 43 chs to Station. Thence S 1° W. 13.75 chs to Station: Thence S 62° 15' W 16.66 chs to Station: Thence S 38° 30' W 13.70 chs to Station: Thence S 59° W 16.50 chs to station: Thence S 86° W 12.50 chs to Station: Thence S 47° 30' W 12 chs to Station: Thence S 25° 30' W 13.20 chs to a Sycamore post 4 inches square standing in a monument of Stones in the channel of the Arroyo de los Capitancillos marked R N° 18 from which a Sycamore tree 1½ ft in diameter marked B.T. R. N° 18. bears S 85° W 1.40 chs distant and the leaning limb 8 inches in diameter of a Sycamore tree marked B T N° 18. bears N 17° 30' E 65 lks distant Harry Richmond's house bears North 18° E 10 chains. Thence leaving the Arroyo and running toward the place of beginning- N 30° W 24.50 chs. cross a road in white oak timber running N.E. and S.W. 80 chs to small isolated hill about 8 feet in height lies about 10 chains to the left 112.40 chs cross arroyo

10 links wide to N.E. 129. 40 chs. intersect Monte Diablo Meridian 28.30 chs. South of N.E. corner of Section 12. T. 8. S. R. 1. W. set a redwood post 3 inches square marked N.S 12. S.7. 251 chs. intersects Township line between Township 7 and 8. S. R. 1. W. 15.15 chs. East of the N.W. corner of Sec 1. set a fir post 3 inches square marked N.S.1.S 36 263 chains large white oak tree in line 295 chs to place of beginning - Containing 8879 $\frac{54}{100}$ acres and designated on the plat of public surveys as Lot No. 41 T. 7. S. R. 1. E. Lot No. 43. T. 7. S. R 1. W. Lot 37. T. 8. S. R. 1. E. Lot 39 T. 8. S R. 1. W. all of Mount Diablo Meridian.

In Witness Whereof, I have hereunto affixed my name officially, and caused the seal of my office to be attached at the City of San Francisco. this 2° day of December 1863.

E. F. Beale

U. S. Surveyor General.

California.

L. S.

And Whereas there has been deposited in the General Land Office of the United States a Certificate dated 12th November 1863 from the Clerk of the United States district Court for the Northern District of California. showing that since the filing of the aforesaid decree on the 27th day of February 1863. no

appeal has been taken to the Supreme Court of the United States and that the time prescribed by law for the taking of an appeal has expired Now Know Ye. That the United States of America in consideration of the premises and pursuant to the provisions of the act of Congress aforesaid of 3d March 1851 have given and granted and by these presents do give and grant unto the said Agustin Narvaez and to his heirs the tract of land embraced and described in the foregoing survey but with the stipulation that in virtue of the 15th Section of the said act the confirmation of this said claim and this Patent shall not affect the interests of 3d persons. To have and to hold the said tract with the appurtenances unto the said Agustin Narvaez and to his heirs and assigns forever. with the stipulation aforesaid: In Testimony Whereof. I Andrew Johnson President of the United States have caused these letters to be made patent and the seal of the General land office to be hereunto affixed. Given under my hand at the City of Washington this first day of December in the year of our Lord 1865 and of the Independence of the United States the 90th

By the President.

Andrew Johnson.

United States General Land Office Seal.

By Edw. D. Neill.
Secretary.

I. N. Granger,
Recorder of the General land Office.

Recorded Vol 5 page 244. to 254 inclusive.
Ex^d.

Recorded April 13. 1866.
Book "A" Patents page 65.

Augustin Narvaez qq
Maria Josepha Narvaez
To
Vanderslice qq Clarkson.

Sepan todos por estos presentes o letras que yo Augustin Narvaez del Condado de Santa Clara y del Estado de California por en consideracion de la suma de un mil pesos pagados en mis manos cuyo recibo confieso por estas que por estas letras contrato vendo y enagreno e sus herederos y asignatorios para siempre todo aquel parage o estencion de terenos dentro del Condado de Santa Clara conocidos por el parage de San Juan Bautista y espresados como sigue colindando por el sur con el Rancho o Terreno de Juan Bernales alias Senores Bernales y de Grove C. Cook estiendiendo para el poniente hasta el pie al Este del Syera a suz de aqui al Norte en linea con al pie al Este del Syera a suz hasta al Arroyo de los Gatos de aqui para el este hasta el Camina del Pueblo de San Jose a Monterey de aqui para al sur seguiendo el referido camino hasa llegas a un punto parallelo con la linea del Norte de dicho terreno del referido

Juan Bernal alias Senores Bernales de aqui
hasta llegas y acompanando dicha linea
del terreno de los Bernales hasta llegar y
incluendo el lugar del principio Exceptuando
de todo esto dos leguas de terrenos para
mediar y apartar al dicho Augustin Narvaez
del modo siguente a saber comenzando al
punto del nor este de dicho parage de terreno
comiendo de alli una legua al poniente
sobre la linea que divide los terrenos de
San Juan Bautista de Aquellos perteñe-
-ciendo al Pueblo de San Jose de aqui
corriendo dos leguas al sur de aqui una
legua para el este de aqui dos leguas
el norte acompañdo la linea basis de
las lomerias al Poniente hasta El punto del
principio Los Gatos de la mensura de los refer-
-ida dos leguas seran pagados por dichos
Vanderslice y Clarkson si el dicho parage
de dos leguas no pueda hallerse por la linea
del sur si completara la differencia en la
mensura de la Anchusa y el dicho Narvaez
por estas letras pone en llena posecion a los
referidos Vanderslice y Clarkson de todo lo
sobrante de dicho parage de terrenos pre-
-pados sobrante y a mas de las referidas
dos leguas y para que conste suscribo
mi punto y firmea a las veinte y cinco

dias del mes de Abril del ano de Molocho-
cientos y cinquenta.

Augustin + Narvaez su marca (Seal)

Maria Josepha + Narvaez su marca (Seal)

Firmada y Mada y
Entregada en presencia de
John T. Richardson
James W. Weekes

Estado de California
Condado de Santa Clara } Ante me John
T. Richardson Registrador dentro y por dicho
Condado de Santa Clara, hoy Comparecio en
persona Augustin Narvaez el consededor
nombradoren y cuyo forma y sello estan
agregados a la letra que anteede y a
quien conozes personalmente ser el con-
cededor que hizos dichas letra y confeso
la misma ser su acto y letra voluntaria
para los usos y fines espresados. dado bajo
mi primo y sello hoy el 25 de Abril 1850.

John T. Richardson.
Recorder St Clara Coy (Seal)

Estado de California
Condado de Santa Clara } Ante me C. T.
Ryland Escribano Publico dentro y para el dicho-

Condado de Santa Clara hoy comparecio en
persona Maria Joseph Narvaez la Esposa de
Angustin Narvaez al Concededor de letra
que antecede a quien conozco personal-
mente y que siendo por mi examinada el
tiempo separada aparte y en que la pud-
-rese en su Esposo confeso y firmo y sello
dicho letra de su libre voluntad y deseo
y sin temor y compulsion to cante a su
marido y que ella libremente renuncia
todo derecho a heredar las tierras espresados
en dicha letra, Para que conste doy mi fiimo
y sello de Escribania. El 25 de Abril 1850

C. V. Ryland.

(Seal) Notary Public for
the County of Santa Clara

Recorded April 5, 1850

Book A deeds page 104.

Henry Vanderslice Qm
H. C. Clarkson.
To
Augustin Narvaez

Deed

Daled July 8. 1850.

Cons $1.

Esta obligation hecha y convenida hoy el dia ocho de Julio Ano del Señor. mil ocho cientos y cincuenta por y entre. Enrique Vanderslice y Enrique Clarkson de la Ciudad de San Jose. Condado de Santa Clara. y Estado de California de California de la primera parte y el Ciudadano Augustine Narvaez del Condado y Estado arriba mencionadas de la segunda parte a saber los de la primera parte por y en consideracion de la cantidad de un peso recibido a su entera satisfaccion han cedido convenido rendido y transferido y por estas presentes cedan convienen venden y trasfieren al dicho Augustin Narvaez y sus herederos y asignatarios para siempre los bienes raices que siguen situados existiendo y estando en el Condado de Santa Clara y Estado de California y que son las dos leguas de tierra exceptuados en mia escritura de enagenacion estendida

por el dicho Narvaez y su esposa en favor
de loy dichos Clarkson y Vanderslice con
fecha del veintē y cinco de Abril de Mil
ocho cientōs y cinquentā interesados > y
circundados como sigue a saber Comenzando
al pie de un Alamo Gallado "N" en el
bilar que existē en la Union del Arroyo
de San Jose de Guadalupe con uno de los
ramos del Arroyo de los Gatōs de aqui
en linea rectā sur 33 gr 12 m. al entē un
Alisomarcado "N" y como mas chico
marcado NW cuyo puntō estā senalado
por una estāca clavado en el cordo or-
ientāl "8" de aqui corse en linea rectā
sur 64 gr 20. 111 estā < Colocasion ver-
dadera > has que la linia cruza el
arroyo de las bilares como ocho cientōs
y cincuentā pies al Norte de la vivianda
de Miguel Narvaez deaqui sabe dicho
arroyo pasando al pie las lomas de San
Juan Bautistā las llagas a un Sauzal
en el lindero del terrenos de Bernal que
permanece como una y una octāva
parte milla en dicesion endestē de las
dichos lomas deaqui en linia rectā
hastā un roble incusado macado B.N.
en la cima de la cadena de lomas
que forman el lindero del terreno de

justō Larios <ahora Cook> de aqui en linea
recta hastā al en centro del arroyo de Sanjose
de Guadalupe con el via chuelo de los Capitan-
cillos de aqui saber en nachuelo cosa de una
y dos tērceras de Milla <mas ó menos> has
llegar a una estāca en el borda del Norte
clavador como a las distancias de diez y
siete y reentē pies al sudoeste de dos
alizo marcados V. de aqui en linea recta N
30 gr. 05 m. O' Coloeacion verdadera Cosa
de trēs y trēs cuartas millas hasta un punta
en la mitād del arroyo de los gatos senal-
ado con una estāca lifa en el cordo del
sur cuarentā y ocho pies distantē de una
enemio con dos broncos marcado V y la misma
distancia mas abajo de un guimpo al aliso
de aque desciende el arroyo de los gatos
cerca de trēs y media millas <mas ó menos>
hastā en trōneo grande y que mado en la
dirsion de dos tributarios del arroyo y
en la puntā de un carril que abraviesa
los campos de Joaquin Narvaez y otros de
aqui en linea recta comenzando desde el
dicho trōno y acabando en el principio
puntamentē con todos en cado unas
de los derechos y pertēnencias que alli
pertēnencen ó de otra manera formen
partē para que el enteresado posee y

Tenga en su poder la dicha propiedad con el mismo derecho que le poseian los ortorgantes de la premera parte para siempre el interesado de la segunda parte sus herederos y asignados los de la primera parte se comprometen a garantizan y defenden la referida propiedad para siempre de sus herederos y asignados. En verificasione de lo cual los partes de la primera parte firman la presente con sus poca y sello en la fecha que anba espresa -

Henry Vanderslice (Seal)
H. C. Clarkson (Seal)

Estado de California
Condado de Santa Clara } Hoy el dia 8 de Julio de 1850 ante me un Notario Publico dentro y de parte del Condado Ante espresado. Comparescieron en persona. Enrique Vanderslice y Enrique Clarkson y quienes conozco son los ortorgantes mencionados en la escrituras Anterior y declaron que habian Estiendido la misma para los usos y fenes alli estipulados libre y voluntariamente y no interitan retroceden de haber estendido la dicho escritura. Dado bajo puño y sello partecular no habiendo seme dado hasta

ahora el sello de escribanio en mi des-
pacho el dia y el ano arte mencionados.

C. T. Ryland.
Notary Public.

Recorded July 10. 1850.
Book A deeds page 189.

Henry Vanderslice et al
Henry Clarkson
To
Augustin Narvaez

Deed

Dated July 8. 1850.

Cons $1.

Grant bargain and sell and convey unto the said Augustin Narvaez his heirs and assigns forever. All that tract being the two leagues of land excepted in a deed of conveyance executed by the said Narvaez and wife to said Clarkson and Vanderslice dated the 25th day of April A.D. 1850 and as selected and agreed upon as such by said parties. Beginning at a small cotton wood tree marked N in the swamp formed at the junction of the arroyo San Jose de Guadalupe with one of the branches of the Arroyo de los Gatos, thence running in a straight line S 83° 12' E. <true bearing> to the middle of the Arroyo San Jose de Guadalupe thence up said Arroyo to a point between a large Sycamore marked N and a small one marked W. which point is designated by a stake on the Eastern bank numbered 8. thence in a straight line S 64° 20' E <true bearing> till the line intersects the Arroyo de los Tulares

about 850 feet North of Miguel Narraez's house.
thence up said Arroyita along the foot of the hills
of San Juan Bautista to a Sauceltō in the boun-
dary of Bernal's land. lying about 1⅛ miles
South Easterly from said hills thence in a straight
line to a leaning oak marked B.N. on the top
of the ridge of hills formerly the boundary of
Justo Larios <now Cooks> land thence in a
straight line to the junction of the Arroyo San
Jose de Guadalupe with the Capitancillos Creek
thence up the Capitancillos creek about 1⅔ miles
<more or less> to a stake on the North bank
standing about 17 & 20 feet S.W. from 2 small
Sycamores marked V. thence in a straight
line N 30°. 05 W <true bearing> about 3¾ miles
to a point in the middle of the Arroyo de los
Gatos designated by a stake in the Southern
bank 48 feet above a forked oak marked V
about the same distance below a clump of
Sycamores thence along the Arroyo de los
Gatos about 3½ miles <more or less> to a
large burnt stump in the fork of two branches
of the Arroyo and at the end of a long line
leading through the field of Joaquin Narraez
and others thence in a straight line from said
stump to the place of beginning.

Full Covenant of Warranty.

Acknd July 8. 1850.

Before C. T. Ryland N.P.

Recorded July 10. 1850

Book A deeds page 190-

In the 3rd Judicial District Court in and for the County of Santa Clara. California.

Andrew J. Yales

Vs.

Henry Clarkson.

Register "A" page 56.

Cause No. 431.

1852. Assumpsit.

March 15. Cause entered Complaint filed. Affidavit and undertaking on attachment filed. and attachment issued. Action brought to recover the sum of $1000. for legal services.

" 16. Attachment filed with Return of John Yontz Shff. by J. W. Johnson — thereon, that according to orders, I have attached all the right and title of "Henry Clarkson in and to the Navaes "Rancho situated South of the "San Jose "Town"

April 12. Answer filed.

Aug 12. Cause tried. Judgment that Plaintiff do have and recover against the

said defendant the said sum of $1000 ⁰⁰/₁₀₀

Aug 12. Decree made filed and entered that plaintiff do have and recover against said defendant the said sum of $1000. with interest thereon at the rate of 10% per year from rendition of judgment until paid and all costs laid out and expended and it is further ordered that the property attached to wit: all the right & title of Henry Clarkson in and to the Navaez Rancho be sold to satisfy said debt, interest and costs.

Judgment Book A. page 293.

Aug 24. Execution issued.

Nov 9. Execution returned by order of Plaintiff of A. J. Yates. Satisfied in full. with Return of J. W. Johnson Shff. by C. E. Allen Deputy thereon. that by virtue of said writ he did on August 26. 1852. levy on and seize all the right title and interest of Henry Clarkson in and to the Navaez Rancho and on the 16th day of Sept 1852 after due and legal notice he sold the same to Andrew ÷ ÷ A. Yates the Pltff herein for the sum of $1200.

Augustine Narvaez Grd
Maria Josefa Higuera, his wife
To
John Waldrope Grd
Otis Ashley junr.

Deed

Daled October 3. 1850.

Cons $ 2000 00

Doth grant bargain sell and convey unto said party of second part and to their heirs and assigns all that certain tract or parcel of land bounded and described as follows to wit: Beginning at two large Sycamores on the South bank of the "Galo" Creek marked respectively "P. and A. thence running with land sold by Narvaez to Patrick, S 28° 35' E <true bearing> 1000 Mexican Varas or 2750 English feet to a stake, thence at right angles N 61° 25' E 1000 varas to a stake thence at right angles N 28° 35' W about 1205 Mexican Varas to Joaquin Narvaez line: thence with said line Westerly 48 English feet to a large Sycamore marked with a cross on the bank of the "Galos" creek, thence ups said Creek to the place of beginning.

Full covenant of warranty.

<Signed> Jose Augustine his X mark Narvaez (Seal)
Maria Josefa her X mark Higuera (Seal)

< Copy of Acknowledgment >

State of California }
Santa Clara County }

Be it remembered that on the 3d day of October 1850 before me personally came Jose Augustine Narvaez and Maria Josefa Higuera his wife known to me to be the person described in and who executed the same freely and voluntarily and for the purposes therein mentioned and the said Maria Josefa his wife having been by me examined separate and apart from her husband and the contents of said deed explained to her declared that she executed the same freely and voluntarily and without undue influence of her said husband. In testimony whereof I have hereunto set my hand and affixed my seal the day last above written.

(Seal) "J. T. Richardson"
"Rec in & for said Co"

Recorded October 3. 1850
Book D of deeds page 135.

Augustine Narvaez and
Maria Josefa Higuera. his wife.
To
Isaac Branham

Deed

Dated November 28. 1851.

Cons $2500.00

Do grant bargain sell and convey unto the party of the second part his heirs and assigns forever. a certain tract of land on the Narvaez Rancho, known and described as follows. Commencing at an oak tree situate on the West bank of a dry creek called El Rio de Uvas and sometimes the Guadalupe said tree being marked with a cross and is a few hundred yards West of the house where the said Narvaez now resides running thence Westerly by a tree with two crosses and crossing the wood running from the Mission de Santa Clara to the Quicksilver mines <Almaden> to a certain point a distance of 2000 varas from said point Southerly 2000 varas. the true direction being so as to make a right angle with the aforesaid line. thence Easterly at right angles with the East line run to the bank of the above mentioned dry creek thence following the bank of said dry creek. to the place of beginning-
Full covenant of Warranty-

<Signed> Augustin his X mark Narvaez (seal)

Maria Josefa her X mark Higuera (seal)

Ackd November 28. 1851.
Before Frederic Hall. N. P.

Recorded November 28. 1851.
Liber D of deeds page 188-

Note. The foregoing deed is given to assisting in fixing the boundaries of the land described in the deed from Narvee + wife to Hester and Watson. next hereinafter referred to and for no other purpose whatever.

John Waldrope "
Margaret Waldrope, his wife
To
Otis Ashley

Deed

Dated November 35. 1850

Cons $500.

Do grant bargain sell remise and and quit claim unto the said party of the second part and to his heirs and assigns forever. All that certain tract or parcel of land bounded and described as follows: to wit; Beginning at the Southeastern corner stake of a tract of land deeded to Waldrope and Ashley by Agustin Narvaez on the 3d day of October A.D. 1850. thence running along the Eastern boundary N 28° 35' W <true Course> 1375 feet or 500 Mexican Varas to a stake, thence at a right angle S 61° 25' W. <true bearing> 500 varas to a stake, thence at a right angle S 28° 35' E <true Course> 500 varas. to a stake thence at a right angle N 61° 25' E 500 varas. to the place of beginning-

<signed> John X Waldrope" {Seal}
Margaret Waldrope {Seal}

Acknd December 7. 1850
Before John T. Richardson. Co. Recorder.

< Copy >

State of California } ss.
Santa Clara County } On this the 7th day of December 1850. before me personally came John Waldrope and Margaret his wife known to me to be the person described in and who executed the foregoing instrument, freely voluntarily and for the uses and poorposes therein mentioned and the said Margaret his wife being by me examined apart from her said husband acknowledged that she executed the same freely and without undue influence of her husband. In testimony whereof I have hereunto set my hand and private seal < there being as yet no official seal > the date last above written.

"J. T. Richardson
" Recorder in and for said County"

Recorded December 7. 1850
Liber B of deeds page 268.

Otis Ashley Ux
Sarah Ashley, his wife
To
John Waldrope

Deed

Dated November 30. 1850

Cons $1500.

Do grant bargain sell remise release and quit claim unto said party of the second part and to his heirs and assigns forever. all that certain tract or parcel of land lying and being in the County of Santa Clara and bounded and described as follows to wit: The North Western three quarters of a tract of land deeded to Waldrope and Ashley by Augustine Narraez on the 3d day of October A.D. 1850. together with the tenements & with the hereditaments thereunto belonging.

<signed> Otis Ashley <seal>
Sarah A. Ashley <seal>

Ackn'd December 7. 1850.

Before John T. Richardson.
County Recorder.

Copy of Acknowledgment.

State of California } ss.
Santa Clara County } On this the 7th day of December A.D. 1850 before me.

personally came Otis Ashley and Sarah A. Ashley his wife both known to me to be the persons described in and who executed the foregoing instrument freely and voluntarily and for the uses and purposes therein mentioned and the said Sarah A. his wife being being by me examined apart from her husband acknowledged that she executed the same freely and without undue influence of her husband. In testimony whereof I have hereunto set my hand and private seal, (there being as yet no official seal) the date last above written."

"John T. Richardson
"Recorder in and for od Co."

Recorded December 7. 1850
Book B of deeds page 267.

Otis Ashley & Sally A. Ashley. his wife
To
John F. Pinkham

Deed Dec 18/51

Dated — day of — 1851.

Cons. $550.00

Do remise release quit claim unto the said John F. Pinkham his heirs and assigns a certain piece or parcel of land bounded and described as follows: Commencing at the Southeastern corner of land now owned by John Waldrope running N 61° 25' E 500 varas to a stake, thence N 28° 35° W 500 varas to a stake, thence South 61° 25' W 500 varas to a stake, thence S 28° 35' E 500 varas to a stake the place of beginning. The Courses being the true Courses as can be seen by reference to a plot or map drawn by Sherman Day. Dep. Surveyor of said County on the 1st & 2 of October and 23° of November 1850. said land was bought of Augustine Narvaez by John Waldrope and Otis Ashley on the 3° day of October 1850.

<Signed> Otis Ashley <seal>
Sarah A. Ashley <seal>

The same defective form of Acknowledgment as fully set forth in preceeding deeds attested

December 18. 1851. by J. T. Richardson
County Recorder.

Recorded Dec 18. 1851.

Book D of deeds page 247.

John F. Pinkham 2nd
Jane Pinkham. his wife
To
Otis Ashley

Mortgage

Dated November 20. 1851.

Covers the lot of land. Commencing at the South East corner of a lot of land now owned by John Walrope. thence running N 61° 25' "E 500 varas. thence N 28° 35' W 500 varas - - - "thence S 28° 35' E 500 varas to the place of "beginning" - To secure the payment of $550 00

Recorded December 19. 1851.
Liber "A" Mortgages page 334.

Satisfied on the margin of the Record November 12. 1852, by
Otis Ashley Jr
Attest
J. M. Murphy. Recorder
S. O. Houghton
Deputy Recorder.

John F. Pinkham ux
Jane Pinkham, his wife
To
William R. Bassham

Deed

Dated November 11. 1852

Cons $600 00

Have this day sold remised and released and do by these presents forever quit claim unto the said William R. Bassham his heirs and assigns a certain piece or parcel of land, bounded and described as follows to wit: Commencing at the South East corner of the land of John Waldrope, running N 61° 25' E 500 Spanish varas to a stake. thence N 28° 35' W 500 spanish varers to a stake thence S 61° 25' W 500 spanish varers to a stake thence S 28° 35' E 500 spanish varers to a stake the place of beginning - Courses being true as shown by plot or map drawn by Sherman Day said land was bought by Ashley and Waldrope of Augustine Narrais October 3. 1850.

<Signed> John F. Pinkham <Seal>
Jane Pinkham <Seal>

Acknd - by John F. Pinkham only Nov 12. 1852
Before John M. Murphy. County Recorder.

Recorded Nov. 12. 1852.

Liber E of deeds page 268.

John Waldrope & Wf
Margrate Ann. his wife
To
William R. Bassham.

Deed

Dated May 12. 1852.

Cons. $ 3750 ~

Do grant bargain and sell to the said William R. Bassham certain pieces or parcels of land situated in the Township of Santa Clara County and bounded and described as follows to wit: Beginning at two Sycamore trees on the Easterly bank of Gatos Creek. thence running South Easterly 1000 varas to a stake. thence North Easterly and at right angles with the last line 500 varas to a stake, thence North Westerly at right angles with the last line 500 varas to a stake, thence North Easterly at right angles with the last line 50 varas to a stake, thence at a right angle North Westerly to the Gatos Creek thence along said creek to the place of beginning more or less. it being the North western three quarters of a certain tract of land deeded to Waldrope - Ashley by Augustin Narvaez Oct 3d 1850. Also a certain other piece of land lying and being in the same Township. County and State bounded and described as follows to wit:

Commencing at a stake at the North West corner and running North 61° 05' East 100 varas. thence at right angles North 28° 55' West 500 varas, thence at right angles. South 61° 05' West 100 varas thence at right angles 500 varas to to the place of beginning - and being the same land <both pieces> deeded by Augustin Narvaez to Otis Ashley and John Waldrope which said pieces of land being surveyed and platted by Sherman Day. Deputy Surveyor and which said Plat belongs to and is now in the hands of Otis Ashley or said William R. Basham. Full Corenant of Warranty.

<Signed> John his X mark Waldrope (Seal)

Margrate her X mark Ann Waldrope (Seal)

AcKnd May 13. 1852.

Before H. C. Melone. Clerk -
of the County Court of Santa Clara County.

Recorded May 18. 1852.

Book D of deeds page 578.

Augustin Narvee
To
Craven P. Hester et al
John H. Watson.

Deed

Dated April 8. 1852.

Cons $5.00 and for the further consideration of services to be rendered by the party of the second — before the U. S. Land Commissioners in an application before said Commissioners for the confirmation of the title to a tract of land claimed by said Narvee and known by the name of Rancho San Juan Bautista have granted bargained and sold and do by these presents grant bargain sell and convey unto the said party of the second part, the following described land, being part of said Rancho beginning at the North West corner of Isaac Braunams land thence in a Northerly direction in a line of the same direction of the Westerly line of said Braunams tract until it touches the line of John Waldropes land, thence in a Westerly direction along the line of said Waldropes to the line of Basshams land thence along Basshams line to a point thereon 1500 varas distant from the point where said first line touches Waldropes line and if there should be

angles in said Basshams to follow the same so as to be 1500 varas from the nearest point of said first line. thence in a Southerly direction on a line parallel with said first line, and said Braunams Westerly line to a point so as to include within the area the same quantity of land which would be included in a tract of land of 2000 varas square. thence in a direct line Easterly to the nearest point of said Braunams line. thence along said line to the place of beginning. Containing the same quantity which 2000 varas square would make.

Full covenant of warranty.

<signed> Augustin his × mark Narvice ——

Josefa Iguera her × mark Narvice ——

Witnesses <no seals>

Josiah Belden — L. J. Dunn.

Execution proven April 19. 1852.
by the oath of Josiah Belden.
Before C. T. Ryland N. P.

Recorded April 20. 1852.
Book D of deeds page 483.

John H. Watson
To
William R. Bassham

Deed

Dated April 19. 1852.

Cons $2500.

Doth grant bargain sell unto the party of the second part his heirs and assigns all the right title and interest of the party of the first part in and to the following described tract of land being part of the Rancho San Juan Bautista said tract above named being known and described as follows. to wit: Beginning at the North West corner of Isaac Brauhams land thence in a Northerly direction in a line of the same direction of the Westerly line of said Brannams tract until it touches the line John Waldropes land thence in a Westerly direction along the line of said Waldrope to the line of Bassham's land, thence along Basshams line to a point thereon 1500 varas distant from the point where said first line touches Waldrope's line and if there should be angles in said Bassham's line to follow the same so as to be 1500 varas from the nearest point of said first line thence in a Southerly direction on a line parallel with said first line and said

Brannens Westerly line to a point so as to include within the area the same quantity of land which would be included in a tract of land of 2000 varas square thence in a direct line Easterly to the nearest point of said Brannen's line thence along said line to the point of beginning. Containing the same quantity which 2000 varas square would make the interest of said party of the first part in the aforesaid tract of land being an equil undivided half interest in said tract.

Covenant of warranty against acts of Grantors

Acknd April 19. 1852

Before C. T. Ryland. N. P.

Recorded April 20. 1852

Book D. of deeds page 482.

William R. Bassham Esq
Mary Jane Bassham, his wife
To
Robert Walkinshaw

Mortgage

Dated August 1. 1854

Mortgages all that certain tract or parcel of land being part of the tract known as the Navaez Ranch or Rancho of San Juan Bautista, Commencing at a stake on the South Bank of the Arroyo Los Gatos marked B. thence South Easterly about 2500 varas to a stake marked B. and adjoining lands of C. P. Hester and Isaac Branham, thence South Westerly about 3200 varas to a stake marked "B." thence North Westerly about 1000 varas to a stake marked B. thence thence North Easterly about 800 varas to a stake marked "B." thence North Westerly about 600 varas - the bank of the Arroyo Los Gatos thence down said Creek on the South bank thereof about 2000 varas to the place of beginning - To secure the payment of the sum of $3000. & interest

Recorded August 2. 1854
Book B of Mortgages page 289.

The following Release appears on the margin of the Record.

"I hereby release from this Mortgage all the premises mentioned therein except that piece of land sold to Seneca Jones by W. R. Bassham & wife March 29. 1856 and Recorded in Book K. of deeds page 210"

Dated Sept 7. 1857.

< Signed > Robert Walkinshaw.

Attest

D. A. Clark. Recorder.

Following we give abstract of deed to Seneca Jones to show that portion of above mortgaged premises reserved from the operation of the Release on Margin of said Mortgage -

William R. Bassham Grt
Mary Jane. his wife
To
Seneca Jones.

Deed

Dated March 29. 1856

Cons $1500.

Bargain sell and convey the following described real Estate to wit: All that portion of Real Estate bounded as follows: to wit: Beginning at a stake on the Western line of the Rancho de San Juan Bautista 33 feet from the Southern Corner of land bought by W.H. Ware being part of said Rancho thence along the Western line of said Rancho S 20° 52' E (true Course) 49.20 chs. to a stake marked W. R. Basshams Southern corner which bears South 45° 53' W. 24 lks from a white oak tree marked B thence N 71° 08' (true course) 49.26 chs to the Southern Corner of said Basshams land it being a former purchase of a portion of said Rancho from Narvaiz thence along the Western line of said land N 28° 37' W (true Course) 51.82 chs to a stake in said line 33 feet from W. H. Ware's Southern line thence parallel to and 33 feet distant from said line South

68° 23' West < true Course > 42.06 chs to
the place of beginning. Containing 229 acres.

Recorded March 29. 1856
Liber K of Deeds page 210.

William R. Bassham

To

William Kent – Israel Holman

James Duff – James Burke

George Brown – John Heffett Esq

H. C. T. Chrisman.

Mortgage

Dated November 14. 1854.

Does grant bargain and sell unto the parties of the second part and to their heirs and assigns forever all of that certain piece or parcel of land. bounded as follows. Commencing at a stake on the bank of the Arroyo de los Gatos marked B. thence in an Easterly direction about 2500 varas thence Southerly about 3200 varas. thence Westwardly about 1000 varas. thence Northerly 800 varas "about" to a stake. thence Westerly about 600 varas to a stake and rock on the bank of the Arroyo de los Gatos. thence Northwardly along the bank of said Arroyo to the place of beginning – with the exception of all the property within said limits heretofore conveyed and transferred to my wife Mary Jane Bassham > and certain personal property. by way of Mortgage to secure the payment of the following am-

-ounts. on or before Nov 14. 1855. to wit:
To said William Kent the sum of $230.00
" " Israel Holman " " " 700.00
" " James Duff " " " 805.00
" " James Burke " " " 329.00
" " George Brown " " " 475.00
" " John Heffett " " " 1000.00
" " H.C.J. Chrisman " " " 491.00

Recorded November 15. 1854.

Book B. Mortgages page 405.

The following Releases are written on the margin of the Record.
"The amount due each one of us <secured by this Mortgage> are satisfied in full this 5th day of October A.D. 1855.

" John Hefty
Attest " George Brown
I.A. Clark " James Duff
Recorder " Israel Hollman"

Satisfied in full this 5th day of November A.D. 1855.

H.J. Chrisman."

Attest I.A. Clark.
Recorder.

Satisfied in full this 17th day of July A.D. 1856.

James x Burke"

Attest

S. A. Clark

Recorder

No Release by Wm Kent.

In the District Court of }
the Third Judicial District. }

Asa Vestal, Plaintiff

vs.

William R. Bassham and
Joseph H. Kincaid,

Defendants.

Writ of Attachment to make the sum of
$1774.50 and interest.

Tested June 13. 1855.

Return of Sheriff attached to said writ, shows that by virtue thereof he attached {subject to prior attachments} all the right, title and interest of W. R. Bassham in and to the land commencing at a stake on the South bank of the Arroyo Los Gatos marked "B"; thence South Easterly about 2500 varas to a stake marked "B" and adjoining land of C. P. Hester and Isaac Branham; thence S. W. about 3200 varas to a stake marked "B"; thence North Westerly about 1000 varas to a stake marked B.; thence North Easterly about 800 varas to a stake marked B; thence North Westerly about 600 varas to the bank of the Arroyo Los Gatos; thence down said

Creek on the South bank thereof about 2000 varas to the place of beginning, and other property.

Dated June 13. 1855

Filed in Office of County Recorder at 12.20 oclock P. M. June 13. 1855.

In the District Court of the Third Judicial District for the County of Santa Clara and State of California.

Asa Vestal, Plaintiff

vs.

William R. Basscham and
Joseph H. Kincaid, Defendants.

Register "B" Page 184.

Cause No. 773.

1855 June 13	Cause entered and Complaint in assumpsit filed - Action brought to recover the sum of $1774.50 claimed to be due on a promissory note and interest thereon at the rate of 3 % per month from the 8th day of June 1855.
" "	Affidavit and undertaking on attachment filed and attachment issued.
" "	Summons issued.
" 18	Attachment filed on Return showing levy on June 13, on the property in question.

June 18. Summons Filed with Return of Wm. M'Crutchen, Sheriff, by Thos. Bodley U. S. that "I have this day served the within "by delivering to W. R. Basham a cer= "tified copy of the Complaint & Summons "& to J. H. Kincaid a copy of this Sum= "mons in Santa Clara County, California "June 15. 1855"

July 7 Default of defendants William R. Basham and Joseph H. Kincaid Entered.

" " Judgment of Decree made filed and Entered. That Plaintiff Asa Vestal, do have and recover of the said defendants William R. Basham and Joseph H. Kincaid the sum of money specified in the summons and Complaint to wit: The sum of $1774.^{80} and $51.^{47} interest due thereon with interest on the principal debt from date until paid at 3% per month and interest on said sum of $51.^{47} at the rate of ten % per annum from this date until paid together with the sum of $29.^{55} costs of suit and that the Plaintiff have execution therefor.

Judgment Book "B" pp. 136.

July 7 1857 Roll filed and Judgment docketed.

June 3 Execution issued.

Aug. 25. Execution filed with Return of P. T. McCabe Sheriff by Thos. Bodley, U. S. that by virtue of said Execution he levied on and on July 6, 1857 he sold in accordance with annexed printed notice & printed notice of sale on Monday July 6, 1857 at the Court House door in the City of San Jose at Public Auction for cash in hand to the highest bidder is annexed & all the right, title and interest of W. R. Basham in and to the following - Commencing at a stake on the South bank of the Arroyo Los Gatos marked "B"; thence Southeasterly about 2500 varas to a stake marked "B" and adjoining land of C. P. Hester and Isaac Branham; thence S. W. about 3200 varas to a stake marked "B"; thence North Westerly about 1000 varas to a stake marked "B"; thence North Easterly about 800 varas to a stake marked "B"; thence North westerly about 600 varas to the bank of the Arroyo Los Gatos; thence down said

Creek on the South bank thereof about 2000 varas to the Place of beginning. to Asa Vestal for the sum of $1000.—

1859

May 9 Satisfaction Price filed.

P. F. McCabe. Sheriff.
By Thos. Bodley. U. S.
To
Asa Vestal.

Certificate of Sale of Real Estate on Execution.

Dated. July 16. 1857

In re - Asa Vestal
vs
Wm R. Basshaw
& Joseph H. Kincaid
} In the District Court of the Third Judicial District

I Philip F. McCabe. Sheriff of the County of Santa Clara do hereby certify that by virtue of an execution in the above cause dated the 3d day of June 1857 by which I was commanded to make the Amount of $1774.81 to satisfy the judgment of this Action with costs and interest thereon out of the Personal Property of Wm. R. Basshaw & Joseph H. Kincaid the above defendants and if sufficient personal property could not be found then out of the real property belonging to the said Wm. R. Basshaw & Joseph H. Kincaid on the 7th day of July A.D. 1855 or at any time thereafter I have levied on and this day sold at public auction according to the Statute

in such case made and provided to Asa Vestal who was the highest bidder for the sum of $1005.00 which was the whole price paid by him for the same the Real Estate described as follows, to wit: All the right, title and interest of said Wm. R. Basshaw in and to the following. Commencing at a stake on the South Bank of the Arroyo Los Gatos Marked "B"; thence South Easterly about 2500 varas to a stake Marked "B" & adjoining lands of C. P. Heeter & Isaac Branham; thence S. W. about 3200 varas to a Stake Marked "B", thence North Westerly about 1000 varas to a stake Marked "B"; thence North Easterly about 800 varas to a stake Marked "B"; thence North Westerly about 600 varas to the bank of the Arroyo Los Gatos; thence down said Creek on the South bank thereof about 2000 varas to the place of beginning - and other property. That the price of each district lot and parcel was as follows:

2° Being property above described $1000.00, and that the said Real Estate is subject to redemption pursuant to the Statutes in such cases made and provided.

(Endorsed)

"Filed at 11½ o'clock A.M. July 7th 1857"

S. A. Clark, Recorder.

In the District Court of the Third Judicial District of the State of California in and for the County of Santa Clara.

Jackson Lewis. Plaintiff

vs

W. R. Basham, and

Joseph Kincaid - Defendants.

Writ of Attachment to make the sum of $1059 20/100 and interest.

Tested June 12. 1855

Return of Sheriff attached thereto shows that by virtue of said Writ he did on June 12th 1855 attach all the right, title and interest of W. R. Basham in & to the following described lands - Commencing at a Stake on the South bank of the Arroyo Los Gatos Marked "B" thence South Easterly about 2500 varas to a Stake marked "B" and adjoining land of C. P. Hester and Isaac Branham; thence S. W. about 3200 varas to a Stake Marked "B"; thence North Westerly 1000 varas to a Stake Marked "B"; thence North Easterly about 800 varas to a Stake marked "B"; thence North Westerly about 600 varas to the bank of the Arroyo Los Gatos; thence down said Creek on the S. Bank

thereof about 2000 varas to the place of beginning (and other property)

Wm McCutcheon Shff

By Thos Bodley U.S.

Filed in Office of County Recorder at 3 o'c P.M.
June 12th 1855.

Note. The above Cause is No. 770.
Register "B" page 178.

1855	
June 12	Cause entered. Complaint in Assumpsit filed. Affidavit and undertaking on attachment filed and Summons issued. Action to recover $827.50 & interest due on a Promissory Note.
June 18	Summons filed with Return of Wm. McCutcheon Sheriff by Thos Bodley U.S. that he served the within by delivering to Wm. R. Basham on the 12th day of June A.D. 1855 a certified copy of the Complaint attached to a Copy of the Summons, and on the 15th June 1855 on J. H. Kincaid by delivering a copy of the this Summons, in Santa Clara County, both of said defendants living within 3 miles of the Court House.

July 7	Default of Defendants Entered
" "	Judgment entered in favor of Plaintiff and against defendants for the sum of $827.50 debt - $265.14 interest due thereon with interest on said principal sum of 4% per month and interest on said sum of $265.14 at 10% per Annum until paid, together with the sum of $30.40 Costs, and that Plaintiff have execution therefor. Decree Recorded. Judgment Book "B" page 135. Roll filed and Judgment docketed.
1857	
June 10	Execution issued.
" 17	Assignment of Judgment to Asa Vestal filed.
Aug. 25	Execution filed with Return of P. S. McCabe. Shff. by Thos Bodley U.S. that by virtue of said Writ he did on June 15. 1857 duly levy on the property in question - and on July 6. 1857 after publication of Notice of time and place of sale, sold the said property to Asa Vestal who was the highest and best

bidder for the sum of $300.

1859

Mar. 9 Satisfaction Piece filed.

Note.

Sheriffs Certificate of Sale under the Execution above referred to filed in the Office of the County Recorder, at 11½ o'clk A. M. July 7. 1857.

In the District Court of the Third Judicial District.

Alexander Hall. Plaintiff

vs.

William R. Basshams and
Joseph H. Kinciaid. Defendants.

Writ of Attachment to make the sum of
$1376.77
Tested. June 13. 1855.

Return of Sheriff attached to said Writ shows that by virtue thereof, he attached all the right, title and interest of W. R. Basshams in and to the following lands - Commencing at a Stake on the South bank of the Arroyo Los Gatos marked "B"; thence Southerly about 2500 varas to a stake marked "B" and adjoining lands of C. P. Hester and Isaac Branham; thence South West about 3200 varas to a stake marked "B"; thence North Westerly about 1000 varas to a stake marked B.- thence North Westerly about 800 varas to a stake marked B.; thence North Westerly about 600 varas to the bank of the Arroyo Los Gatos; thence down said Creek on the S. bank thereof about 2000 varas to the place of beginning - and other

property.

Dated June 12th 1855.

Wm McCutchen. Shff

By Thomas E. Doublette. D. S.

Filed in the office of the County Recorder at

10 2m A.M. June 13. 1855.

In the 3d Judicial District Court. County of Santa Clara. State of California.

C. T. Ryland. Plaintiff
vs
Wm R. Bassham et al
Joseph H. Kincaid. Defendants.

Register B. page 179.
Cause No. 771.

1855

June 12. Cause entered, complaint in assumpsit filed. Affidavit and undertaking on attachment filed. and attachment issued. action brought to recover the sum of $714.85 due on a promissory note.

" " Summons issued

" 18. Attachment filed shows levy on the property in question.

" " Summons filed with return of Wm McCutchen. Shff by Thos Bodley U. S. thereon that he served the within by delivering to Wm R. Bassham a certified copy of the Complaint. attached to a copy

of the summons on the 12th day of June 1855. and by delivering to J H. Kincaid a copy of this summons on the 15th day of June 1855. in Santa Clara County said parties living within 3 miles of the Court House.

July 7. Default of defendants entered.

" " Judgment and decree made and entered in favor of Plaintiff and against defendants for the sum of $576 61 principal and the further sum of $157 50 interest due thereon together with interest due thereon said principal sum, at 4% per month from this date until paid and interest on said sum of $157 50 at 10% per annum from this date until paid and the further sum of $29 55 costs of suit and that Plaintiff have execution therefor.
Decree entered July 9. 1855.
Liber B. Judgments page 137.

" " Roll filed and judgment docketted.

1857
June 3. Execution issued.

June 17. Asignment of Judgment to Asa Vestal filed.

Augt 25. Execution filed with Return of Sheriff P. J. McCabe. by Thos Bodley U. S. thereon. That by virtue of said writ he did on June 10. 1857. levy on the premises in question and did on July 6th 1857 sell the same at public Auction, pursuant to Notice Given thereof to Asa Vestal who was the highest and best bidder therefor for the sum of $1427 75

1859
Mar 19. Satisfaction piece filed.

Note. Sheriff's Certificate of Sale under the Execution above set forth filed in the office of the County Recorder at 11½ o'clk. A. M. July 7. 1857.

In the District Court of the Third Judicial District of the State of California in and for the County of Santa Clara.

Alexander Hall, Plaintiff.

vs

William A. Bassham and
Joseph H. Kincaid, Defendants.

Register "B" Page 180

Cause No. 772.

1855	
June 12	Cause Entered, Complaint in assumpsit filed. Affidavit and undertaking on Attachment filed – and Attachment issued. Action brought to recover the sum of $1376 77 as alleged balance due from Defendant to Plaintiff.
" "	Summons issued.
" 18	Attachment filed with Return of Wm McCutcheon Shff by Thos. Bodley U. S. that on June 13. 1855 he levied on and attached the property in question subject to prior attachment in favor of J. Lewis, C. T. Ryland and Asa Vestal,

June 18	Summons filed with Return of Wm McCutchon Shff. by Thos Bodley U.S. thereon - that he served the within by delivering to W. R. Basham a certified Copy of the Complaint and Summons and to J. H. Kincaid a Copy of this Summons in Santa Clara County June 15. 1855.
June 18	Answer filed.
Aug. 11	Judgment entered by Consent in favor of Plaintiff and against Defendants for the sum of $803.77 and $32.50 Costs of Suit. Decree entered August 11. 1855 Judgment Book "B" Page 153.
" " 1857	Roll filed and Judgment docketed.
June 3	Execution issued.
Aug. 25	Execution filed with Return of P. T. McCabe Shff. by Thos Bodley U.S. thereon that by virtue of said Writ, he did on June 10th 1857 levy on and July 6. 1857 did duly sell, after due Public notice, all the interest of W. R. Basham in and to the tract of land in question

at Public Auction, to Asa Vestal who was the highest and best bidder therefor for the sum of $1.

Sheriffs Certificate of Sale filed in the Office of the County Recorder at 11½ o'clk A.M. July 7. 1857.

Philip T. McCabe
Ex Sheriff of Santa Clara County
To
Asa Vestal

Deed

Dated September 13. 1871.

Cons $1.00 5

Whereas a certain judgment was duly rendered and entered by and in the District Court of the Third judicial District of the State of California in and for the County of Santa Clara. on the — day of — A.D. 186 — in favor of Asa Vestal, and against Wm R. Bassham and Joseph H. Kincaid for the sum of $1774 81 debt and the further sum of — $ costs of suit which said judgment was rendered in a certain action instituted in said Court wherein said Asa Vestal was Plaintiff and said Wm R. Bassham and Joseph H. Kincaid were defendants and whereas a certain writ of Execution was issued out of said District Court in said action and duly tested the 3rd day of June 1857 under the seal of said Court and to me as such Ex-Sheriff duly directed and delivered. Commanding me as such Sheriff that of the goods and chattels of the said Wm R. Bassham

and Joseph H. Kincaid in my County I should cause to be made the sum of $1774.81 together with accruing costs and that if sufficient goods and chattels of said defendants could not be found, then that I should cause sums to be made out of the lands and tenements whereof the said William R. Bassham and Joseph H. Kincaid were seized in my County And whereas because sufficient goods and chattels of the last named person could not be found in my said County whereof I could cause to be made the monies specified in said writ, I did in obedience to said writ on the 3rd day of June 1857. levy on take and seize all the Estate right title and interest of the said Wm. R. Bassham and Joseph H. Kincaid that they had on the 7th day of July 1855 in and to the lands and tenements hereinafter particularly set forth and described with the appurtenances and did on the 6th day of July 1857. sell all the right title and interest of the said Wm. R. Bassham and Joseph H. Kincaid in and to the said premises at Public Auction at the Court House door in the City of San Jose in said County at 12 o'clk M. of that day I having first given notice of the time and place of such sale according to law and

at which sale the said right title and interest of said Wm R. Bassham and Joseph H. Kincaid in and to said lands and premises were struck off and sold to Asa Vestal for the sum of $1005 00 in gold coin of the United States he the said Asa Vestal being the highest bidder and that being the highest and best sum bid for the same. Whereupon I gave to him such certificate of sale as is by law required a duplicate whereof I caused to be filed in the office of the County Recorder and whereas 6 calendar months have fully elapsed without any redemption of said premises having been made. Now in Consideration of the premises and of said sum of $1005 00 Do grant bargain sell convey and confirm unto the said Asa Vestal his heirs and assigns forever all the Estate right title and interest of the said Wm R. Bassham and Joseph H. Kincaid which he had on the 7th day of July 1855 in and to all that certain tract or parcel of land described as follows to wit: Commencing at a stake on the South bank of the Arroyo Los Gatos marked B thence South Easterly about 2500 varas to a stake marked B. and adjoining the lands of C. P. Hester and Isaac Branham: thence S. W. about 3200 varas to a stake marked

B. thence North Westerly about 1000 varas to a stake marked B. thence Northeasterly about 800 varas to a stake marked "B". thence North Westerly about 600 varas to the bank of the arroyo Los Gatos, thence down said Creek on the South bank thereof about 2000 varas to the place of beginning. To have and to hold said premises with the appurtenances to the said Asa Vestal his heirs and assigns as fully and absolutely as I the said P. T. McCabe the Ex-Sheriff aforesaid as such sheriff may or ought by virtue of said writ and of the statute in such case made and provided to grant bargain sell convey and confirm the same.

Acknd September 21. 1871.
Before Thos Bodley N. P.

Recorded November 9. 1871.
Book 7 of deeds page 202.

Asa Vestal
To
Theophilus Kirk.
Socrates Kirk 2nd
John W. Kirk.

Deed

Dated February 25. 1860.

Cons $2500.

Does hereby grant bargain sell remise release and forever quit claim and convey unto the parties of the second part and theirs heirs and assigns forever - all that tract or parcel of land lying about 4 miles in a South Westerly direction from the City of San Jose bounded and described as follows to wit: beginning at a rock placed between two sycamore trees on the Southern bank of the Los Gatos Creek and running thence South 28° 35' E 1000 varas. thence in the same direction to a stake 15 feet South of the Southern fence formerly built by William R. Bassham thence North 71° 38' East parallel with said fence to a stake in Isaac Branham's Western line, thence North 18° 22' West 2.75 chs. to a stake at the North Western corner of said Isaac Branham's land, thence in a North Westerly direction to a stake in a line

drawn at right angles to the first above mentioned Course and from the Southern extremity of said Course, said Stake last mentioned being 1000 varas from the Southern extremity of said first mentioned Course: thence North 28° 35' West 3342 feet to the Los Gatos Creek, thence up to said Creek to the place of beginning - Containing 470 acres more or less -

Acknd February 22. 1860

Before Jno B. Hewson - County Clerk
By Levi P. Peck. Deputy County Clerk.
<attested by "my official Seal">

Recorded May 5, 1860

Book "N" of deeds page 282 -

William R. Bassham
To
Craven P. Hester

Deed

Dated August 10. 1857

Cons $5.00

And for the purpose of more completely confirming a partition heretofore made by the said Bassham and Hester of certain real Estate described in a certain deed of conveyance made by Augustine Narvaez and his wife bearing date April 8. 1852. to Craven P. Hester and John H. Watson < the said Watson having on the 19th day of April 1852. conveyed all his interest in said Real Estate to said Bassham > do hereby remise release and forever quit claim unto the said Craven P. Hester his heirs and assigns forever. all my right title interest and claim of in and to all that portion of said Real Estate first above mentioned which lies and is situate South of a line Commencing at a Stake in Isaac Branham's Western line and 2.75 chs from the North Western corner of said Branhams land. running thence South 71° 38' W to the Western line of the first mentioned tract of land said line running

<line Course> parallel with and about 15 feet from and to the South of said Bassham's fence the said land lying to the South of said line being now in the possession of said Hester -

Acknd January 8. 1859
Before Peter O. Minor N.P.

Recorded February 7. 1859
Book M. of deeds page 173 -

Augustin Narvaez et al
Maria Josefa Higuera. his wife
William R. Bassham et al
Craven P. Hester.

To

Asa Vestal

Deed

Dated September 21. 1857.

Cons $ 500.00

Remise release and forever quit-claim and convey unto the said Asa Vestal his heirs and assigns forever. portion of tract of land known as the Rancho San Juan Batista. Beginning at a rock placedbetween two sycamore trees on the Southern bank of the Los Gatos Creek. running thence South 28° 35' E 1000 varas thence in the same direction to a stake 15 feet South of William R. Basshams Southern fence thence North 71° 38' East parallel with said fence to a stake in Isaac Branhams Western line thence North 18° 22' W 2.75 chs to a stake at the North-Western Corner of said Isaac Branhams land thence in a North Western direction to a stake in a line drawn at a right angle to the first mentioned Course and from the Southern Extremity of said Course said stake being 1000 varas from the Southern Extremity of

said first mentioned Course thence N 28° 35' W 3342 feet to the Los Gatos Creek thence up the said Creek to the place of beginning. Conty 475 acres more or less - being the same land heretofore deeded by the said Augustine Narvaez and wife to Otis Ashley, John Waldrup, C. P. Hester and John H. Watson or that portion of said Rancho contained in the herein described boundaries and now enclosed by a fence and known as the property of William R. Basshan -

<signed> Augustin his X mark Narvaez <seal>

Maria Josefa Higuera her X mark Narvaez <seal>

W. R. Basshan. <seal>

Ackd Sept 21. 1857.

Before Jno B. Hewson.

County Clerk.

Recorded Janry 18. 1858.

Book M of deeds page 144.

Note - Craven P. Hester does not sign or acknowledge -

Augustin Narvaez

To

Craven P. Hester

Deed

Dated January 21. 1859.

Cons $200.

Give grant ratify approve and confirm unto the said Hester his heirs and assigns forever. the title of him the said Narvaez of in and to the land conveyed by him the said Narvaez to said Hester and one John Watson by a deed bearing date the 8th day of April 1852. and signed with the names of the said Augustine Narvaez and Josefa Ygera Narvaez with their marks of the cross affixed to their names and witnessed by one Josiah Belden and another person and also the said Augustine Narvaez grants bargains sells and conveys unto said Hester his heirs and assigns forever the following described tract of land. Beginning at a point on the Westerly line of Branhamisland about 2.75 chs Southerly of the N.W. corner of said Branham's tract of land and about 15 feet Southerly distant from the South Eastern corner of a field enclosed by a fence erected by one Bassham. thence running S 71° 35' W 62.50 chs to a stake. thence South 18° 22' E 63.14 chs to a stake. thence N 71° 35' E 63.14 chs to

a stake thence N 71° 35' E 62.50 chs to a stake, thence N 18° 22' W 63.14 chs to the place of beginning. Containing 394 ¼ acres of land said land lies Westerly of said Branhams tract formerly owned by said Bassham and said first line running about 15 feet Southerly from the Southerly line of fence of said tract formerly owned by said Bassham and parallel with said line of fence and being in the County of Santa Clara and State of California

Jose Augustine his X mark Narvaez (seal)

Witness. Geo. M. Yoell.

Acknd Jany 21. 1859

Before Austin M. Thompson. N.P.

Recorded Jany 21. 1859

Book M. of deeds page 146.

Craven P. Hester

To

Asa Vestal

Deed

Dated January 12. 1859

Cons of a deed to him made by one William R. Bassham bearing date the 10th day of August 1857. and for the further consideration of $1. doth remise release and quit claim unto said Vestal his heirs and assigns forever. subject to the defeasance hereinafter received all the right title and interest of the said Hester to the undivided half of the following described tract of land. Beginning at the Corner of the lands of the said Vestal on Brauhams Westerly line of land he purchased from Narraez and about 2.75 chs. from the North West corner of said Brauham's land Southerly from said Corner and about 15 ft. South Easterly from the corner of a fence erected by said Brauham on the tract herein described, thence running N 18° 22' W. 32.50 chs to an oak tree marked with a cross thence S 71° 38' W 13. chs to a corner thence N 21° 43' W. 25.83 chs to a corner. thence S 61° 18' W 41.02 chs to a corner thence S 28° 42' E. 9.09 chs to a corner, thence S 61° 23' W 9.41 chs. to a corner, thence S 18° 22' E 40.29 chs. to a corner thence North

71° 38' E 62.50 chs. to the place of beginning-
the last mentioned line being a division originally
between said Bassham and said Hester and
running parallel with a fence erected on said
land by said Bassham and about 15 feet South-
erly therefrom the said tract containing 300 acres
said land situate in the County of Santa Clara
State of California. Whereas the said Bassham
and the said Hester have agreed heretofore upon
the division line above mentioned and the said
Bassham hath heretofore made the deed aforesaid
to said Hester of said land purchased by said
Hester and one John H. Watson of said Navaez
the said deed made by said Bassham to said
Hester embraces the part of said tract purchased
as aforesaid of said Navaez and being Southerly
of said Division line. Now if the title attempt-
ed to be conveyed to said Hester by said deed
of said Bassham for the land therein described
or referred to should fail or the land be recovered
from said Hester on the ground of a previous
deed thereto having been made by said Bassham
or of a lien by judgment or otherwise upon
said land caused by said Bassham or in
consequence of a judgment against him or
of a lien having accrued upon said land
during the time the title thereto was vested
in said Bassham does not convey the title

of said Bassham of the land on the Southerly side of said line then the above deed to be defeated and void and held for nought and also the deed aforesaid made by said Bassham to said Hester shall when the above deed shall be held for nought as aforesaid stated be also held for nought-

Acknd February 7. 1859
Before Austin M. Thompson
Recorder-

Recorded February 7. 1859
Book M of deeds page 173-

L. H. Brock and
Nancy Ann Brock. his wife
of the County of Solano
To
Theophilus Kirk and
Socrates Kirk.

Deed

Dated May 28. 1867.

Cons $500.

Do remise release and quit claim unto the parties of the second part and to their heirs and assigns forever. all our right title and interest in and to an undivided one sixth part of all the Real and personal property situate lying and being in the County of Santa Clara and Solano which John W. Kirk died seized or possessed of the same being all the interest derived to said Nancy Ann Brock by inheritance from her deceased brother John W. Kirk.

Ackn'd August 15th 1867.

Before W. J. Costigan County Clerk and Ex-officio Clerk of the County Court. of County of Solano. by Wm. K. Dolto. Deputy Clerk.

Recorded June 30. 1868.

Liber 9 of deeds page 380.

William A. Clark Esq
Susan Clark his wife.
of the County of Tuolumne.

To

Theophilus Kirk Esq
Socrates Kirk.

Deed

Dated May 29. 1867.

Cons $500 00

Do remise release and quit claim unto the parties of the second part and to their heirs and assigns forever. all our right title and interest in and to an undivided one sixth part of all the Real and personal property in the Counties of Santa Clara and Solano which John W. Kirk died seized or possessed of, the same being all the interest derived to said Susan Clark by inheritance from her deceased brother said John W. Kirk.

<Signed> William A. Clark. (Seal)
Susan E. Clark (Seal)

Ackd June 5. 1868.

Before Edwin A. Rogers. N.P.
Tuolumne County

Recorded June 30. 1868.

Book 9 of deeds page 382.

Assignment of Theophilus Chapman to T. & S. Kirk.

State of Iowa } ss.
Dubuque County } On this fifteenth day of December A.D. 1870 before me, a Notary Public in the State of Iowa, in and for said County, came Theophilus Chapman, to me personally known to be the identical person, whose name is subscribed to the foregoing instrument of writing, and acknowledged the same to be his free and voluntary act and deed, for the uses and purposes therein mentioned.

Witness my hand and notarial seal

Notarial Seal.

J. M. Griffith
Notary Public,
in and for Dubuque County Iowa.

Theophilus Chapman of
Potosi. Grant County. Wisconsin
To
"Theophilus and Socrates Kirk"

"Assignment"

Dated December 17. 1870

In consideration of $1. to me paid by Theophilus Kirk and Socrates Kirk do hereby grant bargain sell and convey assign transfer and set over remise release and forever quit claim unto the said Theophilus and Socrates Kirk" All my right title and interest Estate and property in or to the Estate and property real personal and mixed of which my uncle John W. Kirk late of the County of Santa Clara died seized possessed or entitled, hereby intending to sell convey transfer and quit claim to the said Theophilus and Socrates Kirk all my right title and interest and estate claim and demand of whatever name or nature in and to all and singular the property real personal and mixed of the Estate of said John W. Kirk lately deceased. Dated at the City of Dubuque State of Iowa.

Ackd December 15, 1870

Before J. M. Griffith Notary Public.
Dubuque County. State of Iowa.

Recorded

January 31. 1871.

Book 20 of deeds page 226.

Assignment of M. Byrne Jr & wife to T. & S. Kirk.

State of California }
County of Nevada } ss.

On this tenth day of January A.D. one thousand eight hundred and seventy-one before me, Jas. K. Byrne, a Notary Public in and for said County, residing therein, duly commissioned and sworn, personally appeared M. Byrne Jr. and Mary Elizabeth Byrne, his wife, whose names are subscribed to the annexed instrument, as parties thereto, severally personally known to me to be the same persons described in, and who executed the said instrument, and they severally duly acknowledged to me that they executed the same freely and voluntarily for the uses and purposes therein mentioned.

And the said Mary Elizabeth Byrne, wife of the said M. Byrne Jr., who is personally known to me to be the person whose name is subscribed to the annexed instrument as a party thereto, having been by me made acquainted with the contents of such instrument, duly acknowledged to me, on an examination apart from and without the hearing of her husband, that she executed the same freely and voluntarily, for the uses and purposes therein mentioned, without fear, compulsion or undue influence of her

husband, and that she did not wish to retract the execution of the same.

In witness whereof I have hereunto set my hand, and affixed my official seal, at my office in said County the day and year in this certificate first above written.

Notarial Seal.

Jas K. Byrne
Notary Public
Nevada Co. Cal.

M. Byrne Jr. and
Mary Elizabeth Byrne.
<formerly Mary Elizabeth Chapman>
his wife of Grass Valley.
To
"Theophilus and Socrates Kirk"

Assignment

Dated January 9. 1871.

For and in consideration of one dollar to us in hand paid by Theophilus and Socrates Kirk do grant bargain sell and convey assign transfer and set over remise release and forever quit claim Unto the said "Theophilus and Socrates Kirk" all our right title interest Estate and property in and to the Estate of all property real personal and mixed of which John W. Kirk late of the County of Santa Clara died seized possessed or entitled hereby intending to convey transfer and quit claim to the said Theophilus and Socrates Kirk all our right title interest and estate claim and demand of whatever name or nature in and to all and singular the property real personal and mixed of the Estate of John W. Kirk dec'd.

Ackd January 10. 1871.

Before Jas K. Byrne. N.P.
Nevada County.

Recorded January 31. 1871.
Book 70 of deeds page 224.

Theopilus Kirk ux
Socrates Kirk
To
Charles Desimone ux
Joseph Desimone.

Lease

Daled November 7. 1876

Do grant demise and let unto the said parties of the second part their Executors administrators and assigns. all that orchard now on the Ranch of the parties of the first part. Excepting the small orchard that is fenced near the house and known as the garden. To have and to hold unto the parties of the second part their Executors administrators and assigns from the 1st day of November 1876 for and during the full term of 6 years then next ensuing. Yielding and paying therefor unto the parties of the first part their heirs and assigns semi annually. during the said term the yearly rent or sum of $550 00 for the term of 4 years payable in U.S. Silver - $300 on the 1st day of January 1877 and on the 1st day of January of each year thereafter and $250 00 on the 1st day of July 1877. and of each year thereafter in the said 4 years are complete

and ended, and the sum $600. per annum. for the last 2 years of said term payable $300. on the 1st day of January and $300. on the 1st day of July on each year the same to be paid 1/2 in Gold and 1/2 in Silver coin provided the Discount on the Silver shall not be more than 5% if more the second parties to pay the differences. Second parties agrees to irrigate said orchard at the proper times and to keep said Orchard in good condition and to replace any dead or missing trees the same to be furnished by first parties. And to graft 100 apple and 155 peach trees at their own expense and to prune the orchard and remove the brush therefrom. the said first parties reserve the to use summer fruit and 4 trees of winter apples to be selected by them and also reserve the right to plant vegetables and pumpkins and squash in said Orchard and agree to keep the irrigating ditch in repair on their own land and to plow and cultivate the orchard and to furnish any trees that may be needed to replace missing ones. Second parties to cultivate around the trees and keep the same in good order.

<Signed> Theophilus Kirk.

Socrates Kirk
J. Desimone
C. Desimone.

Acknd December 7. 1876
Before S. W. Boring N.P.

Recorded January 24. 1877.
Book C. Leases page 425.

In the Board of Supervisors of the County of Santa Clara in Session March 5. 1872.

Present. J. M. Battee. Chairman.

William Paul,

J. W. Boulware.

W. N. Furlong and

S. J. Jamison.

In the matter of the petition of T. Kirk and others for a public Road in San Jose Township.

Order.

The Report of the viewers of the Road prayed for in the petition having been considered by the Board it was ordered that the said proposed road as petitioned for by T. Kirk and others be and it is hereby declared a public highway. And the Road Master of the Road District in which the same is situated is hereby directed to open the same in accordance with law. The description of said Road according to the plat and field notes of said Viewers is as follows: Beginning at the ¼ sec. corner between Sections 25 and 30. Township 7. South Range 1. East and 1. West on Mt Diablo Meridian line and running thence along the Meridian line due through the land claimed by the Estate of J. Hamilton deceased 10 chains to land of R. H. Hicks. thence through said Hicks land same course 31 chs

to post from which an Elder tree 8 inches in diameter bears N 19½° E distant 20 lks. thence following along the North bank of the Arroyo de los Gatos S 54° 35' W. 6.66 chs. thence descending bank of Creek S 33¼° W 3.16 chs. thence S 41° W 100 chs to post in bed of Creek thence up Creek N 86¼° W. 3 chs. to post from which a Sycamore tree 2 feet in diameter bears N 48° W. distant 28 links thence leaving Creek and ascending bank of same S 47° 10' W 1.39 chs to post on line dividing lands of T. Kirk and L. J. Hanchett from which post a Sycamore tree 5 feet in diameter standing on South bank of Creek bears N 31½ W distant 27 links thence along the fence dividing the lands of said Hicks and Hanchett S 28½° E 93.43 chs to line dividing lands of said Hanchett and Hester, thence along line of lands of Hanchett and Hester S 71½ W. 17.37 chs to post thence along the line dividing the lands of said Hester and John Klee S 17° 50' E 35.93 chs to land of F. J. Titus thence between the lands of Hester and Titus same Course 15.66 chs to land of Stockton, thence along the line dividing lands of said Ross and Stockton same Course 32.26 chs. to a — standing in said division line of said Ross and

Stockton and on the North side of the County Road known as the Branham Road and the terminus of the said proposed Road.

Liber "A" Road Book page 265.

Taxes.

State and County.

1870 – 71	Paid
1871 – 72	"
1872 – 73	"
1873 – 74	"
1874 – 75	"
1875 – 76	"
1876 – 77	"
1877 – 78	"
1878 – 79	Now a Lien.

No Judgment Liens

San Jose October 8th 1878
3 o'clk P. M.
Sam P. Howes
Searcher of Records